

AMENDED IN ASSEMBLY MAY 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

Assembly Joint Resolution

No. 15

**Introduced by Assembly Members De Leon, Ammiano, and John
A. Perez**

**(Coauthors: Assembly Members Block, Blumenfield, Fuentes, Jones,
Ma, Monning, and Portantino)**

(Coauthors: Senators Kehoe and Pavley)

April 20, 2009

Assembly Joint Resolution No. 15—Relative to the Uniting American
Families Act.

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, as amended, De Leon. Uniting American Families Act.

This measure would urge the Congress of the United States to pass, and President Obama to sign, the Uniting American Families Act and support the removal of legal barriers to immigration by permanent same-sex partners.

Fiscal committee: no.

1 WHEREAS, Every American is entitled to equal protection
2 under the law; and

3 *WHEREAS, The principle of family unification is an unassailable*
4 *characteristic of our immigration system under which legal*
5 *permanent residents and United States citizens should be able to*
6 *sponsor their loved ones for immigration status; and*

7 WHEREAS, Federal law does not currently recognize permanent
8 same-sex partners ~~for immigration purposes; as family members~~

1 *for immigration purposes, including same-sex partners that are*
2 *married or recognized as married in various states; and*

3 WHEREAS, This results in thousands of United States citizens
4 being forced into exile to be with foreign born partners, causing
5 unnecessary hardship, separation from family members and careers,
6 and loss of valuable skills and resources for our country; and

7 WHEREAS, The Uniting American Families Act has been
8 introduced in Congress by Senator Patrick Leahy and
9 Representative Jerrold Nadler with 95 cosponsors in the United
10 States House of Representatives and 17 cosponsors in the United
11 States Senate to amend the Immigration and Nationality Act and
12 allow United States citizens and legal permanent residents to
13 sponsor same-sex partners for immigration; and

14 ~~WHEREAS, The promotion of family unity should be an integral~~
15 ~~part of our nation's immigration policy, and all Americans should~~
16 ~~have the opportunity to be with their loved ones; now, therefore,~~
17 ~~be it~~

18 WHEREAS, The Uniting American Families Act defines
19 “permanent partner” as an individual 18 years of age or older
20 who is in a committed, intimate relationship with another individual
21 18 years of age or older in which both parties intend a lifelong
22 commitment; is financially interdependent with that other
23 individual; is not married to or in a permanent partnership with
24 anyone other than that other individual; is unable to contract with
25 that other individual a marriage cognizable under the Immigration
26 and Nationality Act; and is not a first-, second-, or third-degree
27 blood relation of that other individual; and

28 WHEREAS, Although there are a relatively low number of
29 binational same-sex partners, they are severely harmed by
30 discrimination and a lack of protection under current immigration
31 law; and

32 WHEREAS, Data compiled over two decades documents that
33 there has not been a single case of fraud perpetrated by a person
34 or partnership in any domestic partners benefit plan in the United
35 States since those benefit plans began in 1982; and

36 WHEREAS, The United States is behind other democracies in
37 extending fair treatment in immigration policies to same-sex
38 partners, and the Uniting American Families Act of 2009 would
39 bring United States immigration law in line with 16 other countries
40 that currently recognize same-sex partnerships for immigration

1 *purposes: Australia, Belgium, Brazil, Canada, Denmark, Finland,*
2 *France, Germany, Iceland, Israel, the Netherlands, New Zealand,*
3 *Norway, South Africa, Sweden, and the United Kingdom; and*

4 *WHEREAS, The Uniting American Families Act is an*
5 *appropriate next step towards establishing equality in immigration*
6 *standards for same-sex partners; now, therefore, be it*

7 *Resolved by the Assembly and the Senate of the State of*
8 *California, jointly, That the Legislature and the State of California*
9 *urge the United States Congress to pass and President Barack*
10 *Obama to sign the Uniting American Families Act at the earliest*
11 *possible date and support the removal of legal barriers to*
12 *immigration by permanent same-sex partners; and be it further*

13 *Resolved, That the Chief Clerk of the Assembly transmit copies*
14 *of this resolution to the President and Vice President of the United*
15 *States, to the Speaker of the House of Representatives, and to each*
16 *Senator and Representative from California in the Congress of the*
17 *United States.*